

**FILED VIA EFS ON JULY 10, 2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/840,188 Confirmation No.: 7264  
Applicant : Mark L. MATHIS et al.  
Filing Date : May 5, 2004  
Title : Device and Method for Modifying the Shape of a Body Organ  
Group Art Unit : 3731  
Examiner : Tuan Van NGUYEN  
Docket No. : 10057-719.201  
Customer No. : 66854

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313  
Sir:

**AMENDMENT IN RESPONSE TO OFFICE ACTION**

**Introductory Comments:**

This Amendment responds to the non-final Office Action dated March 19, 2009, for which a response is due June 19, 2009. A request for extension of time, up to and including July 19, 2009, accompanies this response.

Please enter the amendments and consider the remarks as follows.

**Amendments to the Specification** begin on page 2.

**Amendments to the Claims** begin on page 4.

**Remarks / Arguments** begin on page 9 of this paper.

**An Appendix** (new drawing Sheet 9 – Fig. 15) follows page 13.